

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SONIA POWELL,

Case No. C19-929RSM

Plaintiff,

**ORDER RE: PENDING MOTIONS
RELATED TO APPEAL**

V.

KING COUNTY, *et al.*,

Defendants.

This matter comes before the Court on Plaintiff Sonia Powell's "Motion to Stay the Proceedings," Dkt #41, "Motion for Leave to Appeal In Forma Pauperis," Dkt #43, "Motion for Writ of Mandamus," Dkt #45, and "Second Motion for Leave to Proceed In Forma Pauperis," Dkt #46.

On June 15, 2020, Ms. Powell filed a Notice of Appeal in this case. Dkt. #39. That appeal was swiftly dismissed by the Ninth Circuit, which stated “[a] review of the record demonstrates that this court lacks jurisdiction over this appeal because the orders challenged in the appeal are not final or appealable.” Dkt. #44.

Accordingly, the Court finds that Ms. Powell's related Motion to Stay the Proceedings and Motion to proceed in forma pauperis on appeal are moot and properly denied as such.

Ms. Powell has now filed a Motion for Writ of Mandamus with this Court. Dkt. #45. The Motion is captioned for filing in the Ninth Circuit. *Id.* at 1. Writs of mandamus are

1 typically filed in appellate courts seeking review of a lower court's actions. *See Cheney v.*
2 *United States Dist. Court*, 542 U.S. 367, 380, 124 S. Ct. 2576, 2585, 159 L. Ed. 2d 459, 477
3 (2004). The Court believes Ms. Powell intended to file this Motion with the Ninth Circuit
4 rather than with this Court, and in any event will not grant a writ of mandamus regarding its
5 own actions. This Motion will be denied as procedurally improper.
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7 Ms. Powell has also filed a new Motion to proceed in forma pauperis in this case. Dkt.
8 #46. The docket appears to demonstrate that Ms. Powell has already paid the filing fee in this
9 case and need not proceed in forma pauperis. The Court believes Ms. Powell has filed this
10 Motion in an attempt to proceed in forma pauperis on appeal. The Court has no notice that Ms.
11 Powell has an open appeal. Accordingly, this Motion will be denied as moot or premature.
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13 Having reviewed the relevant briefing and the remainder of the record, the Court hereby
14 finds and ORDERS that Ms. Powell's Motions at Dkts. #41, #43, #45, and #46 are DENIED.
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18 DATED this 30th day of June, 2020.
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RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE